

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

United States of America

v.

Criminal No. 05-cr-163-01-PB

Loretta Costa

O R D E R

On April 15, 2008, defendant appeared for a "probable cause" hearing under Fed. R. Crim. P. 32.1 on three alleged violations of conditions of supervision. Ms. Costa waived her right to a hearing. I therefore find probable cause to hold her for a revocation hearing.

Defendant sought bail conditions under Rule 32.1(a)(6). Under Rule 32.1(a)(6) defendant bears the burden of establishing by clear and convincing evidence that she will not flee and that she poses no danger to any other person or to the community. Since her revocation in December of 2005, defendant violated conditions in February 2006, June 2006, September 2006, November 2007, and three times in March 2008. On April 1st she attacked her state probation officer. She is a danger to the community. There are no conditions which are likely to assure her presence and the safety of the community.

Accordingly, it is **ORDERED** that the defendant be detained pending trial.

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

SO ORDERED.



James R. Muirhead
United States Magistrate Judge

Date: April 15, 2008

cc: Jonathan R. Saxe, Esq.
Arnold H. Huftalen, Esq.
U.S. Marshal
U.S. Probation